

Adjournment

Commissioner **Schlaybaugh** made a motion to adjourn. Commissioner **Nichols** seconded, and the meeting was adjourned at 7:04 p.m.

APPROVED: Date: 2/12/15

A handwritten signature in dark ink, appearing to be 'J. Matonich', written over a horizontal line.

John Matonich, NRC Chairman

A handwritten signature in dark ink, appearing to be 'Keith Creagh', written over a horizontal line.

Keith Creagh, DNR Director

MINUTES

NATURAL RESOURCES COMMISSION

January 15, 2015
MSU Diagnostic Center
4125 Beaumont Road, Lansing, 48810

Present for the Natural Resources Commission

John Matonich, chairman
J.R. Richardson, vice chairman
Louise Klarr
Vicki Pontz
Tim Nichols
Rex Schlaybaugh
Christine Crumbaugh

Present for DNR Staff

Keith Creagh, DNR director
William E. Moritz, DNR natural resources deputy
Dennis Knapp, DNR chief of staff
Peter Manning, legal counsel, Office of the Attorney General
Cheryl Nelson, executive assistant to the NRC
Other department staff

COMMITTEE OF THE WHOLE

Chairman **John Matonich** called the Committee of the Whole meeting to order at 3:18 p.m. at which time he thanked commissioner **Richardson** for his tenure as chairman and introduced new commissioner **Crumbaugh** to the audience.

Parks Update Parks and Recreation division chief **Ron Olson** provided a trails update noting that there were several staff positions that would be filled in the near future. He also noted that the name for the showcase trail will be announced soon. **Olson** provided a synopsis of a recent public meeting regarding the Silver Lake State Park voucher system. Parks will be coming back with a proposal for 2015-2017. **Olson** also provided an update on the reclamation proposal for Island Lake Recreation Area. McCoig Materials, Inc. provided the best proposal for the recreation area. There was a strategic planning process meeting held with the Belle Isle Advisory Committee. At this meeting five clear goals were determined for the park. Lastly, **Olson** shared the award that was bestowed upon the Outdoor Adventure Center. The award is the region's 2014 best project for outstanding rehabilitation of a hundred year old building.

Forest Resources Division Update Forest Resources division chief **Bill O'Neill** introduced new assistant chief **Deb Begalle**. The next item chief **O'Neill** discussed was the Michigan Forest Products market analysis. IMPLAN Group LLC Research Team partnering with Primm Research and the Alward Institute are going to provide market research for the department. **O'Neill** identified the 5 goals, adding that the department should have the product by this summer. He also spoke on the prescribed burn program and enhancing habitat on 10,000 acres. Michigan is considered a national leader and is putting instructional webinars on for a number of states.

Lake Michigan Update Fisheries division chief **Jim Dexter** provided an update on Lake Michigan, having the highest catch rate of chinook salmon two years ago, and having the lowest last year and the issue of balancing between predator and prey. This has been a daily management issue. They are engaged in conversations with advisors, the Lake Michigan Citizen Advisory Committee, information sharing and transparency has established high levels of trust. Fisheries division held public meetings recently, discussing bag limits, status of populations, and maintaining recreational opportunities. In April, detailed discussion will be brought to the Fisheries and Wildlife committee on status of predator and prey populations in Lake Michigan.

Asian Carp Update **Tammy Newcomb** from the Executive Division reported on Asian carp, the Chicago Area Waterways and ongoing actions that were discussed last year with Michigan's congressional members and the director of the U.S. Fish and Wildlife Service in Washington, D.C. Several actions are underway, including an Army Corp of Engineers feasibility study to add barrier defenses at the Brandon Road Lock and Dam, a critical choke point for Asian carp. Another trip to Washington, D.C., is planned for this spring to reinforce the urgency of the issue of developing this barrier and to support continuing actions to keep Asian carp out of the Great Lakes.

Wolf Update **Peter Manning** from the Michigan Attorney General's office reviewed the recent ruling from a U.S. District Court in Washington, D.C., that put wolves back on the endangered species list in Michigan. The court ruled that Congress didn't authorize delisting of a distinct population segment when it listed the wolf as an endangered species across its entire range. On that basis, the court said the wolf should go back on the endangered species list. This action severely restricts department management tools and options for individual citizens who are experiencing conflict with wolves. No decision has been made about an appeal of that decision.

Bay Shore Camp Exchange Update **Chief Mason** and **Earl Flegler** provided information regarding the land exchange along Saginaw Bay. It consisted of exchanging a 12 acre parcel near Sebawaing for parcels of 9.5 acres in Huron county, and 7.3 acres in Tuscola county. **Flegler** shared the history on how the state came to own the land through a donation of funds from **Thelma Whitlock's** will. Her will did not identify parcels to be purchased. He shared the evaluation criteria, natural resource values, recreational values, and real estate values of the parcels, noting that the offered parcels' value exceeds the value of the held parcel. **Flegler**

noted that there was local government engagement and that much public input has been received, the majority of it opposed to the exchange. The recommendation to the director is to approve the transaction and to move plaque recognizing **Dr. and Mrs. Whitlock**.

2014 Accomplishments **Director Creagh** provided a list of the accomplishments of the department for 2014 adding that it was a successful year for natural resources. The director commented on the positive engagement with the Legislature, state and local governments and stakeholders. The department has aligned priorities with the Governor, and provided leadership on a number of issues. **Creagh** talked about the new hunting and fishing license structure, the fight against invasive species, and mutual aid agreements. He shared major accomplishments including the hiring of conservation officers, lean process improvements, major progress on forestry, the revitalization of Detroit through Belle Isle and the Outdoor Adventure Center. He also mentioned the department's riverfront partnerships. The department led the nation's multi-state response to white-nose syndrome and alignment relative to Asian carp in the Great Lakes. **Creagh** brought up trails, increased ORV revenues and growing ORV trails. He talked about long-standing issues resolved including dam removal, and that the department opened up 104 miles of rivers and streams, and stocked 22 million fish in Michigan. Looking ahead, the department is going to spend more time on invasive species, continue to pay attention to the forest industry, continue to look at trails, public land strategies is an important tool for the department, will look at license structure, the department will spend time wolves, bats and other endangered species concerns. They will continue to look at hunter recruitment and retention, focus on the economics of natural resources, pay attention to youth, and long-term durable funding. All-employee meetings are coming where they will make sure the department is listening to employee concerns. **Creagh** stated that 2014 was exciting and the department is going to pick up the pace for 2015.

Graymont Recommendation **Bill Moritz** and **Steve Sutton** provided an update and recommendation on two limestone proposals from Graymont. **Moritz** noted that it's been a collaborative effort with Graymont to consider the attributes that go with a very large application. Proposed sites are located in the eastern end of Upper Peninsula (UP) and consist of 10,000 acres broken into six parcels. They have been working on the proposal for two years and the third revised application has been received. **Moritz** shared the proposed compensation and also talked about several concerns as it was written, those items include timber and non-limestone dolomite value. At this time the department does not recommend approval of the land transaction in its current form. Resolution of outstanding issues, including additional assessment of public input and consultation with sovereign tribal governments, could modify the department's position for the conclusion of this land transaction.

Moritz provided the mineral exchange proposal update. The department recommends approval of the mineral exchange. There is significant merit in continuing the development of limestone mining in the Rexton area. The recommendation is conditional on assessment of the public

input regarding this newly revised land transaction and consultation with sovereign tribal governments.

The department review process and timeline was shared and included in this presentation at the NRC meeting today, Tribal consultation in January, a public meeting in the Rexton area on January 28 in Newberry and a possible final decision by the director at the February NRC meeting. **Creagh** would like more certainty on the economics on this amount of acreage, adding that it is a significant issue.

Legislative Report Trevor VanDyke, Legislative and Legal Affairs Office Director, provided a written report of legislation related to the department. In addition to the written report, **VanDyke** provided updates on recent legislative highlights.

PUBLIC APPEARANCES

(**Dennis Knapp** read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 4:48 p.m.)

Lewis Tibbits came to speak in favor of the land exchange for the Bay Shore Camp. He talked about opportunities, noting that this exchange will be a tool for outdoor education for children and youth.

Jeff Parsons, executive director of Bay Shore Camp, also came to speak in favor of the land exchange. It has always been the intent for the public to be able to use the parcel as well, with the exception of when the children are using it. He feels that ownership of this parcel will increase the quality of life for the people of Sebewaing.

Jim Bratton came to discuss the Bay Shore Camp land exchange. He noted the numerous signatures on petition of persons who are against the land exchange. Bratton doesn't believe the swap would follow the department's mission. Mr. Bratton does not agree with this land transaction.

Dave Borgeson, Michigan Resource Stewards, came to discuss bass regulations. Their recommendation strongly supports changes proposed by Fisheries divisions, catch and immediate release during closed season. This option offers simplicity and continuity. It provides for protections for spawning and pre-spawning bass. **Borgeson** urges the approval of the commission.

Dan Kimmel, Michigan BASS Nation, supports option 4 of the upcoming bass regulations, noting that they want to be partners with department and that they want the regulations to be about science. By not allowing the tournaments to come in May, it could be a loss of \$1-3

million dollars per event. He believes they have the support for this option. The only way to do this is to learn by adaptive management.

Paul Sacks, Michigan BASS Nation, provided a background of why he wrote the proposal. Michigan BASS Nation started as a conservation group, not for tournaments. June 1 is not in his writings, but it does say the last Saturday of May. Through association with other state presidents, he presented this proposal to them to get their feedback and the majority believe that it should be an open catch/release season. **Sacks** was present to represent all bass anglers, not just tournaments. They teach the preservation of bass in the state of Michigan. If option 4 passes, it will bring groups into the state earlier. If they have the extended season, it won't pressure fish. His opinion is that option 4 provides the greatest opportunity for all bass anglers.

Jeff Alkire, Michigan Hawking Club, came to speak regarding the falconry regulation changes. He stated that the proposed changes are fully endorsed by the Michigan Hawking Club.

Theresa Kain, came to speak about the Bay Shore Camp land exchange; she is in opposition to the land exchange and does not feel it benefits the state or the public. She believes current property has good hunting. She stated that the land is enjoyed year-around, not just by hunters. Kain thinks the exchange will cost the state money, and negatively affect license sales.

Mindy Koch, president, Michigan Resource Stewards, came to discuss the Graymont proposal. She has met with both Graymont, as well as the department and believes that due diligence has been done. She believes the mineral exchange is an acceptable approach, as long as the department gets equal value in exchange. **Koch** talked about a mineral appraisal to determine value, another option is trading equal royalties. There is a sunset on those royalties in 2037. Royalty should be in perpetuity. She is concerned with lack of title on these minerals, and notes that it is very important that a title review be completed by the applicant prior to this being approved. She believes it is time for a new strategy, and that the only way to move forward is by having another application.

Kathy English, of Trout Lake, came to speak in opposition of the Graymont Land Transaction. She does not believe that the transactions would be fiscally responsible and also notes that there would be destruction of land and resources and natural beauty. She requested that public meetings be postponed until May when most residents and taxpayers are back in the area.

Bob Hansen also spoke in opposition of the Graymont land transaction. He lives in Trout Lake and chose that area because of the serenity, quiet and beauty. There are many benefits to living there, including the quality of life.

Amy Trotter, MUCC, shared the emergency resolution that MUCC passed the evening before that says the department would not give or sell elk tags in exchange or compensation for crop

damage. **Trotter** spoke of deer management assistance permits (DMAP) adding that there was a 10 point buck poached under DMAP in Leelanau County and MUCC would like to see the highest extent of violations pursued against landowner and DMAP holder.

MUCC is in support of option 4 bass regulations along with Michigan BASS Nation. She also spoke of relative risk of having the season on certain dates and certain areas. They want to be a partner so that they know what the risk is of one option over another. They were pleased with the Finance and Administration Committee presentation today. It is critical to stick to the outcomes promised and then going forward and involving the conservation community.

George Lindquist, MUCC, presented the wolf management resolution that was passed by MUCC, which would restore state management of the wolf to Michigan. He read the resolution to the commission which asks the U.S. Fish and Wildlife Service to remove the gray wolf from the threatened and endangered species list. **Lindquist** asked to get as many organizations, boards, NRC, department, other states involved to get behind MUCC to give control back to the states to manage the gray wolf.

Laura Ogar, Saginaw Bay Coastal Initiative, came to discuss increasing Saginaw Bay public access. She believes that the number one priority is access. **Ogar** stated that there are many publicly-owned miles of shoreline on Saginaw Bay, but that does not equate to public access, and she would like to see creative means for mixed use to get more access to the bay. She would like to see increased access for multiple users. The director added that we look forward to partnering with her, and that there was a recent farm bill announcement to clean up Saginaw Bay. The department will continue to partner on invasive weed control.

Jefferson Henry provided the commission with a waterways commission projects update which included information regarding the city of Ludington's Municipal marina.

Ray Karboske collaborated with Mr. Henry regarding the waterways commission projects update noting that he had spoken with Jason Fleming of the Parks and Recreation division concerning the non-legislated use of charter boats or vessels in the Ludington Municipal marina.

Dorothy and Art Mills came to speak in opposition of the Graymont transaction. They spoke of the staffing that Graymont would provide and that they do not think it would equal the devastation the work would create. They also noted that January is not a good time for a public meeting as many landowners are out of the state or downstate until May.

Russell Nelson, Hendricks Township supervisor, came to speak in favor of the Graymont project and provided area statistics. He noted that area township boards voted unanimously in favor of Graymont project. This is a big issue, and they do not want to see it go away. Jobs are desperately needed in the area.

Dean I. Reid, a certified forester representing the eastern Upper Peninsula Planning Commission, spoke in favor of the Graymont proposal. He believes concerns can be worked out between Graymont and the department. **Reid** comments that the department should look at the big picture. Director **Creagh** encouraged local conversations and stated that limestone mining is not new to the area. He added that the public needs to make sure that Graymont is encouraged to work it out with department as well. If issues are not addressed there will be no inkling to move the transactions forward.

Gary Derusha, Hudson Township trustee, also indicated additional employers are needed in the area, he is in favor of the Graymont land and mineral transaction.

Don Kain, II and III came to speak about the Bay Shore Land exchange and are in opposition to the transaction and do not feel that this is in the wishes of Thelma Whitlock. They do not think that the camp needs to own the property. The village and the camp should co-exist and the state can retain ownership and still have public access.

Dean Botek of the Michigan Darkhouse Angling Association, stated that their position is that they would like to open Saginaw Bay to perch spearing. They would also like to see Lake St. Clair open to muskellunge spearing. The association feels the population there has recovered very well. They advocate look and release.

Paul Stoll, Jr. came to speak of his support for the Graymont project and thinks we need to do more to keep people in Michigan. He stated that he is proud to be a member of the Graymont team working on this project. Stoll talked about the land transaction process and that they support the process. He notes that the application, as it stands now, is much improved from the initial application. Stoll pointed out that the application is more than just an application, it is a partnership with the state to unlock the value of the limestone mineral.

Theresa Lee, the great niece of Thelma Whitlock, came to speak in favor of the Bay Shore Land Exchange. She believes the exchange is a positive move and would like to see the memorial stone moved to the new site.

Chuck Squires, a resident of Sebawaing, came to show his support for the Bay Shore Land Exchange. He believes that this is a win-win situation for everyone.

Charley Lawler came to speak for his father-in-law, a resident of Rexton who is in support of the Graymont proposal. Jobs are needed in the Rexton area, there are no current opportunities for young people. He also stated that there is the need to have the ability to protect ourselves from the wolves.

Chairman Matonich adjourned the public appearances portion of the meeting at 6:52 p.m. and called to order the regular meeting of the NRC at 6:53 p.m. He noted that all

commissioners who were present at the Committee of the Whole were present for the regular meeting.

REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION

FOR INFORMATION ONLY – NATURAL RESOURCES COMMISSION

Falconry and Raptor Capture Regulations, Wildlife Conservation Order Amendment No. 1 of 2015

NATURAL RESOURCES COMMISSION ACTION ITEMS

Chairman **Matonich** made a motion to appoint commissioner **Richardson** as vice-chairman, the motion was supported by commissioner **Schlaybaugh** and seconded by commissioner **Nichols**. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

Approval of Minutes, December 11, 2014 Natural Resources Commission meeting

Commissioner **Pontz** made a motion that the minutes of the December 11, 2014, NRC meeting be approved. **Commissioner Klarr** supported the motion. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

DIRECTOR – FOR INFORMATION ONLY AND ACTION ITEMS

Director **Creagh** listed the “for information only” items listed on the agenda.

Director **Creagh** then listed the “Director’s Action” items listed on the agenda and indicated he would approve all items. He then mentioned the non-resident annual fishing license discount letter which was signed earlier in the month, giving non-residents a ten percent discount, he also signed an emergency order relative to Middleville State Game Area due to firearms public safety issues at target shooting areas. There was much conversation regarding Bay Shore Camp. **Creagh** indicated that he will be signing that transaction. It will increase youth programs and will be a good partnership.

COMMITTEE REPORTS

NRC Policy Committee on Finance and Administration

Commissioner **Richardson** reported on the committee meeting adding that transparency shows, especially with the presentation given earlier in the day. He noted that **Erik Eklund** and **Bill Moritz** gave an excellent presentation.

NRC Marketing, Partnership, Youth and Outreach Committee

Commissioner **Nichols** reported on the joint meeting between the commission and the Michigan Travel Commission. He noted that it was a very good meeting and suggested that we hold another joint meeting in the future.

NRC Policy Committee on Wildlife and Fisheries

Commissioner **Schlaybaugh** provided an update on the committee meeting. They received the results of the peer-reviewed UP walleye management plan, received an update on bass regulations, and there was a presentation on water use and control. For the wildlife portion of the meeting, chief **Mason** shared the elk season results and there was a presentation on the upcoming falconry regulations.

COMMISSIONER REPORTS

Commissioner **Nichols** commended commissioner **Richardson** on his role as chair, noting that he did a great job moving the commission forward and he is looking forward to working with **Matonich** as chair.

Director **Creagh** noted that there is now a new legislative session with new committee members. In addition, the department will be fully engaged in budgets and also, he would welcome the commission's participation in the upcoming all-employee meetings.

Chairman **Matonich** attended MUCC district ten meeting in Frankenmuth.

Next Meeting

Chairman **Matonich** announced that the next meeting of the NRC is scheduled for Thursday, February 12, 2015, at the Lansing Center, 333 E. Michigan, Lansing. Committees meeting in February will be the NRC Policy Committee on Wildlife and Fisheries, the NRC Marketing, Partnerships, Youth and Outreach Advisory Committee, and the Michigan State Parks Advisory Committee.